

IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of: Kaoru MIYAMOTO et al. ) Confirmation No.: 4728  
)  
Application No.: 10/534,424 ) Group Art Unit: 1636  
)  
Filed: May 10, 2005 ) Examiner: Jennifer Ann Dunston, Ph.D.  
)  
For: TRANSCRIPTIONAL REGULATOR ZHX3 )

Commissioner for Patents  
U.S. Patent and Trademark Office

Customer Window Mail Stop: ☐ New Application ☒ Amendment ☐ AF ☐ Issue  
Fee  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT (IDS)**

☒ **Under 37 C.F.R. § 1.97(b):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date.

☐ **Under 37 C.F.R. § 1.97(c):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; or

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(d):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(c) but before payment of the issue fee.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; and

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☒ A search report or other listing of documents from a counterpart, related, or other application dated February 7, 2006 and having documents cited thereon is attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

☒ Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

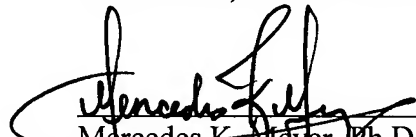
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

  
Mercedes K. Meyer, Ph.D., Esq.  
Registration No. 44,939

Dated: August 2, 2007

**CUSTOMER NO. 055694**

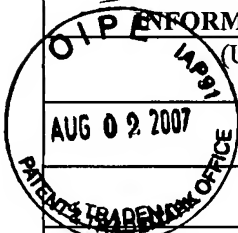
**DRINKER, BIDDLE & REATH LLP**

1500 K Street, N.W., Suite 1100

Washington, D.C. 20005-1209

Tel: 202.842.8800; Fax: 202.842.8465

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)		Attorney Docket No.: 47232-5003-00-US	Serial No.: 10/534,424
PTO Form 1449		Applicants Kaoru MIYAMOTO et al.	Page 1 of 1
Filing Date: May 10, 2005		Group Art Unit:	



### U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date

### FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO	

### OTHER DOCUMENTS

(Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

	HIRANO et al., "Rat zinc-fingers and homeoboxes 1 (ZHX1), a nuclear factor-YA-interacting nuclear protein, forms of a homodimer," Gene 290 (2002), pp 107-114, Elsevier, Amsterdam, Holland
	GenBank Accession No. AB007855, " <i>Homo sapiens</i> KIAA0395 mRNA, partial cds." obtained from NCBI website on July 30, 2007; <a href="http://www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nuccore&amp;id=71891775">http://www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nuccore&amp;id=71891775</a>
	GenBank Accession No. XM_029734, " <i>Homo sapiens</i> triple homeobox 1 (TLX1), mRNA." obtained from NCBI website on July 30, 2007; <a href="http://www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nuccore&amp;id=29744607">http://www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nuccore&amp;id=29744607</a>
	International Search Report dated September 3, 2003, issued in PCT/JP03/09164

Examiner	Date Considered
----------	-----------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.